

Message Text

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PAGE 01 LISBON 06773 311651Z
ACTION EUR-12

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LIMITED OFFICIAL USE LISBON 6773

E.O. 11652: N/A
TAGS: ELAB, PINT, PO
SUBJ: NEW STRIKE LAW BECOMES EFFECTIVE

REF: LISBON A-248

1. NEW STRIKE LAW, APPROVED BY NATIONAL ASSEMBLY AND SIGNED BY PRESIDENT, BECOMES EFFECTIVE AUGUST 31. LAW SUPERSEDES PREVIOUS DECREE LAW OF AUGUST, 1974, WHICH NOTABLE MAINLY FOR BEING UNIVERSALLY IGNORED AND TOTALLY DISCREDITED DURING PERIODS OF LABOR STRIFE IN LATE 1974 AND 1975.

2. NEW LAW HAS SEVERAL PROVISIONS WHICH SHOULD DO MUCH TO RESTORE ORDER TO LABOR MANAGEMENT RELATIONS:

-- MANAGEMENT IS SPECIFICALLY EXEMPTED FROM PAYING WAGES TO STRIKING WORKERS.

-- UNIONS MUST GIVE 48 HOURS ADVANCE NOTICE OF A STRIKE. IN CASE OF ESSENTIAL PUBLIC SERVICES, 5 DAYS NOTICE MUST BE GIVEN. STRIKERS IN ESSENTIAL SERVICES ARE SUBJECT TO CIVIL "MOBILIZATION" IF THEY FAIL TO MAINTAIN MINIMUM LEVEL OF SERVICES DURING STRIKE.

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-- FAILURE TO OBSERVE LAW MEANS STRIKERS ARE TO BE CONSIDERED AS "UNJUSTIFIED ABSENTEES."
-- NON-STRIKING WORKERS MUST HAVE THEIR RIGHTS RESPECTED.
-- RIGHT OF PUBLIC EMPLOYEES TO STRIKE IS RECOGNIZED BUT WILL BE REGULATED BY A SEPARATE LAW.

3. TRANSLATION OF FULL TEXT OF LAW POUCHED BY REFAIR.

4. COMMENT: LABOR PRODUCTIVITY AND DISCIPLINE HAVE IMPROVED
CONSIDERABLY OVER THE PAST MONTHS. THERE IS, HOWEVER, A
DANGER THAT THE PCP MAY TAKE ADVANTAGE OF WORKER
DISCONTENT OVER ECONOMIC AUSTERITY MEASURES AND PROVOKE
LABOR AGITATION IN AN ATTEMPT TO DISRUPT THE GOVERNMENT'S
RECOVERY PLANS. THE NEW STRIKE LAW WILL GIVE THE
GOVERNMENT A USEFUL TOOL TO USE AGAINST SUCH AGITATION.
SPECIFICALLY, THE LAW MAKES IT EXPLICIT THAT WORKERS ARE
NOT ENTITLED TO RECEIVE WAGES FOR THE PERIODS THEY ARE
OUT ON STRIKE. PREVIOUS STRIKE SETTLEMENTS FREQUENTLY
INCLUDED PAYMENTS FOR SUCH "LOST TIME." THE LAW ALSO HAS
MUSCLE IN THAT WORKERS WHO STRIKE WITHOUT FOLLOWING THE
LEGAL PROCEDURES, SUCH AS ADVANCE NOTICE, ARE CONSIDERED
TO BE "UNJUSTIFIED ABSENTEES." TEN UNJUSTIFIED ABSENCES
DURING A YEAR OR FIVE CONSECUTIVE SUCH ABSENCES, MAKE A WORKER
LIABLE FOR DISMISSAL.

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Message Attributes

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